

RESOLUTION NO. 3738

AUTHORIZING AND DIRECTING CONDEMNATION OF  
REAL PROPERTY FOR PARK AND RECREATION PURPOSES

BE IT RESOLVED by the Council of the CITY OF LODI as follows:

The Council of the CITY OF LODI finds, determines, and hereby declares:

(1) That the public interest, necessity, and convenience require the acquisition of the hereinafter described real property for the expansion of the existing Lodi Lake Park recreational area to be used for public park purposes, a use authorized by law.

(2) That the real property hereinafter described is suitable, adaptable, necessary, and required for the public use of said CITY OF LODI as hereinabove set forth.

(3) That the CITY OF LODI acquire the hereinafter-described real property for public park purposes by donation, purchase, or by condemnation in accordance with the provisions of the Code of Civil Procedure of the State of California relating to eminent domain. That the City Attorney is hereby authorized to prosecute in the name of the CITY OF LODI any and all actions or proceedings required to acquire the necessary land and/or to fix the compensation to be paid for property damaged resulting from the construction and maintenance of said improvement; and in the absence of a satisfactory price agreement with the owner of the land, the City Attorney is hereby directed to commence immediately proceedings under Title Seven, Part Three of the Code of Civil Procedure of the State of California to condemn the property hereinafter described for the purpose of taking said land for public park purposes.

(4) To acquire in the name of the CITY OF LODI, fee simple estate in and to the said hereinafter-described real property by condemnation in accordance with the provisions of the Streets and Highways Code, Code of Civil Procedure, and the Constitution of California relating to eminent domain.

(5) The real property, or interest in real property

which the CITY OF LODI is by this Resolution authorized to acquire for said public improvement is situate in the City of Lodi, County of San Joaquin, State of California, and is particularly described as follows:

All that portion of Section 35, Township 4 North, Range 6 East, Mount Diablo Base and Meridian, lying South of the Mokelumne River and East of the East line of Lots 16 to 24, inclusive, and said East lot lines projected Northerly to the South bank of the Mokelumne River, as shown upon Map entitled, LAKE HOME SUBDIVISION NO. 2, filed for record May 20, 1940, in Vol. 11 of Maps and Plats, page 56, San Joaquin County Records; and lying West of a line beginning on the Township line common to Townships 3 and 4, North at a point, 61.6 feet, South 89° 54' West, from a pipe at the 1/4 section corner in the South line of said Section 35; and running thence North 0° 09' West, to the South bank of the Mokelumne River.

EXCEPT all that portion of said land lying Southerly of the Northerly line of the land described in Deed to T. T. & C. DEVELOPMENT, recorded July 24, 1963, in Vol. 2713 of Official Records, page 470, San Joaquin County Records.

DATED: March 7, 1973.

I hereby certify that the foregoing Resolution was passed and adopted by the City Council of the CITY OF LODI in regular meeting held March 7, 1973, by the following vote:

AYES: HUGHES, KATNICH, PINKERTON, and SCHAFER

NOES: NONE

ABSENT: EHRHARDT

  
BESSIE BENNETT  
CITY CLERK

